

FIFTY-EIGHTH DAY

(Tuesday, May 4, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

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| Aikin | Kennard |
| Bates | Krueger |
| Blanchard | Moore |
| Calhoun | Parkhouse |
| Cole | Patman |
| Colson | Ratliff |
| Creighton | Reagan |
| Crump | Richter |
| Dies | Rogers |
| Hall | Schwartz |
| Hardeman | Snelson |
| Harrington | Spears |
| Hazlewood | Strong |
| Herring | Watson |
| Hightower | Word |
| Kazen | |

(Senator Aikin in the Chair.)

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

(President in the Chair.)

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 115, A bill to be entitled "An Act authorizing any county to acquire an easement for purposes of ingress and egress to and from any real property owned by such county; granting the right to acquire such easement by eminent domain in the event such easement cannot be acquired by purchase; specifying those who may use such easement; repealing all laws in conflict; and declaring an emergency."

H. B. No. 134, A bill to be entitled "An Act amending Article 4591, Revised Civil Statutes of Texas, 1925, as amended, relating to legal holidays on which state public offices may be closed; and declaring an emergency."

H. B. No. 196, A bill to be entitled "An Act amending Article 5071 of the Revised Civil Statutes of Texas 1925, relating to rates of interest allowed in certain written agreements; prohibiting the plea or defense of usury in certain instances; providing exemptions; and declaring an emergency."

H. B. No. 309, A bill to be entitled "An Act amending Sections (6a), (13), and (14) of Article 9.13, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended, to allocate and appropriate a certain portion of the unclaimed refunds of motor fuel taxes for use in purchasing and maintaining boat ramps and access ways to public waters; and declaring an emergency."

H. B. No. 619, A bill to be entitled "An Act authorizing additional compensation for certain justices of the peace; amending Section 9, Chapter 110, Acts of the 55th Legislature, Regular Session, 1957; and declaring an emergency."

H. B. No. 795, A bill to be entitled "An Act amending Acts 1963, 58th Legislature of the State of Texas, Chapter 312 (Vernon's Article 8220-293) which created Lake Dallas Municipal Utility Authority by providing for the election of the members of the Board of Directors of such Authority; providing that the General Laws governing the assessment, equalization, collection and enforcement of collection of taxes by Water Control and Improvement Districts shall be applicable to such Authority; validating a bond election heretofore held; and declaring an emergency."

H. B. No. 893, A bill to be entitled "An Act directing the State Department of Health to establish a program combating phenylketonuria, requiring the testing of newborn children for phenylketonuria; and declaring an emergency."

The House refused to concur in Senate amendments to House Bill No. 385 and has requested the appointment of a Conference Committee

to consider the differences between the two Houses. Cowden, Woods, Cherry, Fondren and Johnson, Glenn.

H. C. R. No. 111: Be it resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Joint Rules of the two Houses be, and they are hereby suspended so that either House may take up and consider House Bill No. 67 at any time.

H. B. No. 258, A bill to be entitled "An Act relating to allowing all members of the Armed Forces who are residents of Texas to vote; amending Article 34, Texas Election Code as amended; and declaring an emergency."

H. B. No. 785, A bill to be entitled "An Act to amend the State Water Pollution Control Board Act, Acts 1961, 57th Legislature, 1st C. S., p. 156, Chapter 42, compiled as Article 7621d, Vernon's Annotated Civil Statutes, to clarify the duties, responsibilities and authority of designated personal representatives of Board members; to provide for Board membership; to clarify the responsibilities of the Railroad Commission as a member of the Board; providing for severability; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN.

Chief Clerk, House of Representatives

Senate Bill 544 on First Reading

Senator Aikin moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

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| Aikin | Harrington |
| Bates | Hazlewood |
| Blanchard | Herring |
| Calhoun | Hightower |
| Cole | Kazen |
| Colson | Krueger |
| Creighton | Moore |
| Crump | Parkhouse |
| Dies | Patman |
| Hall | Ratliff |
| Hardeman | Reagan |

| | |
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| Richter | Spears |
| Rogers | Strong |
| Schwartz | Watson |
| Snelson | Word |

Absent

Kennard

The following bill was then introduced, read first time and referred to the Committee indicated:

S. B. No. 544, A bill to be entitled "An Act creating and establishing Texarkana State College at Texarkana, Texas, as a coeducational institution of higher learning, providing that the organization, management and control of said College shall be vested in the Board of Regents of the State Teachers Colleges; empowering the Board of Regents to appoint and to remove the President, any faculty member or other officer or employee of the College when it deems such appointment or removal necessary to the best interests of the College and to fix the salaries and prescribe the duties thereof by written order; providing for offering courses of higher learning in the arts and sciences, in business administration and in teacher training, establishing a standard four-year course for said College; providing for the awarding of bachelor's degrees; providing that higher degrees may be offered only on recommendation of the Board of Regents; with the approval of the Texas Commission on Higher Education; providing for special, short and terminal courses; providing for the transfer, gift and donation of all the assets, corporeal properties and facilities of the Junior College District of Texarkana, Texas, to the Board of Regents or its successors, of the Texarkana State College herein created on September 1, 1967, free and clear of any indebtedness or indebtednesses, encumbrance or encumbrances of any kind and authorizing the Board of Regents of the College herein created to accept such assets, corporeal properties and facilities; providing for the Board of Regents to accept donations, gifts and endowments; vesting the management and control of the lands and minerals of the College in the Board of Regents; authorizing and directing the Board of Regents to prescribe fees, rentals and charges for use of the facilities of Texarkana State College and for reporting thereof; authorizing the

Board of Regents to enter into contracts with the Department of Defense of the United States of America to establish and maintain courses in military training, for credit therefor, under certain conditions; providing a severability clause; and declaring an emergency."

To the Committee on Education.

Reports of Standing Committee

Senator Hazlewood submitted the following reports:

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 210, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 700, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HAZLEWOOD, Chairman.

Senate Bill 545 on First Reading

The following local bill was introduced, read first time and referred to the committee indicated:

By Senator Schwartz:

S. B. No. 545, A bill to be entitled "An Act creating a Conservation and Reclamation District under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as Galveston County Water Authority of Galveston County, Texas; prescribing its rights, powers, privileges, duties; providing said District shall have no power to levy taxes; providing other limitations on the District's powers; providing that the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; providing that its bonds are

legal and authorized investments; containing provisions relating to revenue bonds of the District; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled resolutions:

S. C. R. No. 82, Requesting the Governor to return Senate Bill No. 367 to the Senate for certain changes.

S. C. R. No. 52, Dedication to the City of Austin certain described tracts of land for street purposes.

Senate Resolution 601

Senator Herring offered the following resolution:

Whereas, On May 6, 1965, the State of Texas will be honored by the presence of Dr. Campbell A. Ward of Mt. Clemens, Michigan; and

Whereas, Dr. Ward is visiting our State to address the Texas Association of Osteopathic Physicians and Surgeons at their convention in San Antonio, May 6-8; and

Whereas, This distinguished visitor has devoted 25 years of his life to administrative service in federal, community, and professional health agencies and has provided inspired leadership during 1964-65 for the nation's 12,500 doctors of osteopathic medicine in his capacity as President of the American Osteopathic Association; and

Whereas, In recognition of Dr. Ward's outstanding abilities as a physician and an administrator, Governor George Romney recently re-appointed him to the Michigan Advisory Hospital Council; now, therefore, be it

Resolved by the Senate of Texas, That we commend Dr. Ward for the services he has rendered to his profession and to humanity, and we extend to him a warm welcome to the Lone Star State with our sincere wish for his continued success and happiness; and be it further

Resolved, That an enrolled copy of

this resolution be delivered to Dr. Campbell A. Ward in San Antonio.

The resolution was read and was adopted.

Senate Concurrent Resolution 85

Senator Herring offered the following resolution:

S. C. R. No. 85, Extending congratulations to Miss Linda Sue Moorhead on winning first place in Junior Historian Writing Contest.

Whereas, Miss Linda Sue Moorhead of Austin has been awarded first place in the Junior Historian Writing Contest for the school year 1964-1965 for her paper on "The Alabama-Coushatta Indians"; and

Whereas, This award by the Texas State Historical Association reflects that Miss Moorhead's paper was chosen from thousands of others as the best written on Texas history by a Texas high school student during the current school year; and

Whereas, The Legislature deems it to be of great value and importance for students in this State to do, and to be encouraged to do, the type of research and writing on Texas history that are reflected by Miss Moorhead's fine paper; and

Whereas, The Legislature desires to commend Miss Moorhead for this award and her achievement in the field of Texas history; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That Miss Linda Sue Moorhead of Austin be congratulated by the Legislature for earning and receiving this honor, and that a copy of this Resolution be sent to her as a token of the Legislature's esteem.

The resolution was read.

On motion of Senator Herring and by unanimous consent the resolution was considered immediately and was adopted.

Reports of Standing Committee

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Coun-

ties, Cities and Towns, to which was referred H. B. No. 375, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 824, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

House Bill 647 Recommitted

Senator Calhoun moved that H. B. No. 647 be recommitted to the Committee on Counties, Cities and Towns.

The motion prevailed.

Record of Vote

Senator Dies asked to be recorded as voting "Nay" on the motion to recommit H. B. No. 647.

House Bill 647 Re-referred

Senator Calhoun moved that H. B. No. 647 be withdrawn from the Committee on Counties, Cities and Towns and re-referred to the Committee on Education.

The motion prevailed.

Record of Vote

Senator Dies asked to be recorded as voting "Nay" on the motion to re-refer H. B. No. 647.

House Bill 348 Re-referred

On motion of Senator Parkhouse and by unanimous consent H. B. No. 348 was withdrawn from the Committee on Finance and re-referred to the Committee on State Affairs.

Report of Standing Committee

Senator Ratliff by unanimous consent submitted the following report:

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 626, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

Senate Bill 47 with House Amendment

Senator Watson called S. B. No. 47 from the President's Table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Amendment No. 1

Amend Senate Bill 47 by striking out all of Section 1, and inserting in lieu thereof the following:

"Section 1. Chapter 6, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended by Section 2, Chapter 138, Acts of the 58th Legislature, 1963, is amended by adding Article 6.09 to read as follows:

Art. 6.09. Exemption. The taxes imposed by this Chapter do not apply to the sale or use of a motor vehicle owned by a motor vehicle dealer, as defined in Chapter 30, Section 1, Acts of the Fifty-eighth Legislature, Regular Session, 1963, which is purchased in this State and is loaned free of charge by such dealer to a public school for use in an approved standard driver training course."

The amendment was read.

Senator Watson moved that the Senate concur in the House amendment.

The motion prevailed.

House Bill 626 Ordered Not Printed

On motion of Senator Crump and by unanimous consent H. B. No. 626 was ordered not printed.

Senate Bill 172 with House Amendment

Senator Watson called S. B. No.

172 from the President's Table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Committee Amendment No. 1

Amend Senate Bill 172 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. By this Act, the Legislature of the State of Texas, for and in consideration of the protection of the public health and the general welfare, and for recreation, beautification, civic improvement, as well as for sanitation and police protection, in and along the Brazos and Bosque Rivers within the corporate limits of the City of Waco (which purposes are hereby declared and determined to be adequate consideration), hereby grants, sells and conveys and by this Act does grant, sell and convey, subject to the reservations and conditions hereinafter specified, unto the City of Waco, a municipal corporation situated in McLennan County, Texas, all land, including islands, now owned by the State of Texas in the bed and along the banks of the Brazos River within the city limits of the City of Waco and all land, including islands, in the bed and along the banks of the Bosque River downstream from Waco Dam within the city limits of the City of Waco, as such city limits exist on the effective date of this Act.

Section 2. The grant hereby made to the City of Waco is made for the consideration herein expressed and in the event of any transfer of title to any of such lands by the City of Waco all land described herein shall revert to the State.

Section 3. The above lands are conveyed to the City of Waco with an express reservation to the State of Texas of all minerals in and under said lands, except for sand and gravel which is hereby conveyed without reservation, and said lands or any part thereof may be leased for the development of the minerals reserved to the State by the Commissioner of the General Land Office and the School Land Board, under the laws applicable thereto.

Section 4. A patent to said lands

shall be issued to the City of Waco by the Governor and the Commissioner of the General Land Office of the State of Texas, and upon the issuance of said patent the title of the City of Waco to the said lands shall become absolute, subject to the reservations herein made.

Section 5. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of the Act are declared to be severable.

Section 6. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 7. The importance of this legislation and the crowded condition of the calendar in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the Rule is hereby suspended.

The House amendment was read.

Senator Watson moved that the Senate concur in the House amendment.

The motion prevailed.

Record of Votes

Senators Crump, Kazen, Colson, Parkhouse, Krueger, Hall and Harde-
man asked to be recorded as voting "Nay" on the motion to concur in the House amendment to S. B. No. 172.

Senate Bill 532 Re-referred

On motion of Senator Schwartz and by unanimous consent S. B. No. 532 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties, Cities and Towns.

Conference Committee on House Bill 594

Senator Ratliff called from the President's Table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses

on H. B. No. 594 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following as a Conference Committee on the part of the Senate on H. B. No. 594: Senators Ratliff, Dies, Harde-
man, Parkhouse and Crump.

Bills Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills:

S. B. No. 27, A bill to be entitled "An Act amending Article 353b of the Penal Code of the State of Texas, 1925, as amended; making it unlawful for any person accused or convicted of a felony and confined in prison to escape therefrom or from the lawful custody of an officer, or any other person authorized by law to have such prisoner in his custody; defining terms, prescribing a penalty for violation thereof; enacting other provisions relating to the subject; and declaring an emergency."

S. B. No. 160, A bill to be entitled "An Act transferring control and management of East Texas State College from the Board of Regents of the State Teachers' Colleges to a new body to be called the Board of Regents of East Texas State College; etc.; and declaring an emergency."

S. B. No. 175, A bill to be entitled "An Act amending Article 1.15 of the Insurance Code as contained in Section 3, Chapter 307, of the Acts of the 54th Legislature, Regular Session, 1955, to provide that after the sixth year of organization or incorporation of an insurance company the State Board of Insurance shall examine its financial condition and ability to meet its liabilities, as well as its compliance with the laws of this State, once in each three (3) years, or oftener, as the State Board of Insurance deems necessary; repealing all conflicting laws and parts of laws to the extent of such conflict; setting forth a severability clause; and declaring an emergency."

S. B. No. 271, A bill to be entitled "An Act creating a juvenile board for Bosque County, Texas; and declaring an emergency."

S. B. No. 272, A bill to be entitled "An Act creating a juvenile board for Comanche County, Texas; and declaring an emergency."

S. B. No. 273, A bill to be entitled "An Act to increase the additional compensation allowed county and district judges for service on the Hamilton County Juvenile Board; amending Section 2, Chapter 207, Acts of the 55th Legislature, Regular Session, 1957; and declaring an emergency."

S. B. No. 274, A bill to be entitled "An Act creating a juvenile board for Coryell County, Texas; and declaring an emergency."

S. B. No. 262, A bill to be entitled "An Act to amend Article 4382 of Revised Civil Statutes of Texas, 1925, as amended, concerning the keeping of registers of warrants issued and warrants paid and declaring an emergency."

S. B. No. 263, A bill to be entitled "An Act to amend Section 5 of H. B. No. 503 of the Acts of the Regular Session of the Fiftieth Legislature, providing for more representative members of the Council to include representatives of non-governmental organizations, and of public agencies concerned with the operation, construction, or utilization of hospitals; and declaring an emergency."

S. B. No. 360, A bill to be entitled "An Act amending Chapter 518, Acts of the Fifty-Fourth Legislature, regular session, 1955, by adding two sections designated Section 8B and 8C providing for the investment of funds of the Trinity River authority and authorizing said authority to trade its bonds for land required for the purposes of said authority; providing a severability clause; and declaring an emergency."

S. B. No. 376, A bill to be entitled "An Act relating to pension allowances for totally disabled children of certain firemen adding Section 7G to Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended; and declaring an emergency."

S. B. No. 316, A bill to be entitled "An Act to amend the subject matter of the Texas Unemployment Compensation Act, as amended (Senate Bill No. 5, Chapter 482, General and Special Laws of the Forty-fourth Legislature, Third Called Session, 1936, as amended), and as embraced in Section

11 providing for administration, Section 17 providing for representation in court, and Section 19 providing for definitions of terms; etc., and declaring an emergency."

S. B. No. 378, A bill to be entitled "An Act relating to return of an accident and sickness insurance policy by the insured within a certain period after its delivery to him and the refund of the premium paid; amending Subsection (A), Section 3, Chapter 397, Acts of the 54th Legislature, 1955 (Subsection (A), Article 3.70-3, Vernon's Texas Insurance Code), by adding a subdivision (1-a); and declaring an emergency."

S. B. No. 382, A bill to be entitled "An Act relating to the preservation of the structure known as the Gethsemane Church; and declaring an emergency."

S. B. No. 398, A bill to be entitled "An Act changing the name of the school established for the care of dependent and delinquent colored girls by the provisions of Chapter 293, Acts of the 40th Legislature, Regular Session, 1927 (codified in Vernon's as Article 3259a, Vernon's Civil Statutes) to the named "Crockett State School for Girls"; etc., and declaring an emergency."

House Bills on First Reading

The following bills received from the House were read the first time and referred to the committees indicated:

H. B. No. 909, To the Committee on Agriculture and Livestock.

H. B. No. 622, To the Committee on Water and Conservation.

H. B. No. 910, To Committee on Counties, Cities and Towns.

H. B. No. 323, To Committee on Game and Fish.

H. B. No. 1103, To Committee on Counties, Cities and Towns.

H. B. No. 459, To Committee on Counties, Cities and Towns.

H. B. No. 379, To Committee on Jurisprudence.

H. B. No. 256, To Committee on Counties, Cities and Towns.

H. B. No. 1096, To Committee on State Departments and Institutions.

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| H. B. No. 60, To Committee on Agriculture and Livestock. | H. B. No. 362, to Committee on State Affairs. |
| H. B. No. 106, To Committee on State Affairs. | H. B. No. 371, To Committee on Jurisprudence. |
| H. B. No. 115, To Committee on Counties, Cities and Towns. | H. B. No. 378, To Committee on Jurisprudence. |
| H. B. No. 118, To Committee on Education. | H. B. No. 394, To Committee on Counties, Cities and Towns. |
| H. B. No. 125, To Committee on State Affairs. | H. B. No. 410, To Committee on Military and Veterans Affairs. |
| H. B. No. 131, To Committee on Jurisprudence. | H. B. No. 418, To Committee on Jurisprudence. |
| H. B. No. 133, To Committee on Jurisprudence. | H. B. No. 424, To Committee on Counties, Cities and Towns. |
| H. B. No. 137, To Committee on Game and Fish. | H. B. No. 428, To Committee on Counties, Cities and Towns. |
| H. B. No. 138, To Committee on Jurisprudence. | H. B. No. 442, To Committee on Game and Fish. |
| H. B. No. 143, To Committee on Game and Fish. | H. B. No. 463, To Committee on Jurisprudence. |
| H. B. No. 146, To Committee on State Affairs. | H. B. No. 501, To Committee on State Departments and Institutions. |
| H. B. No. 148, To Committee on Game and Fish. | H. B. No. 31, To Committee on State Affairs. |
| H. B. No. 160, To Committee on Counties, Cities and Towns. | H. B. No. 536, To Committee on Counties, Cities and Towns. |
| H. B. No. 179, To Committee on State Affairs. | H. B.*No. 546, To Committee on Counties, Cities and Towns. |
| H. B. No. 205, To Committee on Jurisprudence. | H. B. No. 563, To Committee on Counties, Cities and Towns. |
| H. B. No. 228, To Committee on Jurisprudence. | H. B. No. 568, To Committee on Game and Fish. |
| H. B. No. 230, To Committee on Counties, Cities and Towns. | H. B. No. 586, To Committee on Counties, Cities and Towns. |
| H. B. No. 231, To Committee on Water and Conservation. | H. B. No. 587, To Committee on Counties, Cities and Towns. |
| H. B. No. 247, To Committee on Counties, Cities and Towns. | H. B. No. 600, To Committee on Game and Fish. |
| H. B. No. 280, To Committee on Counties, Cities and Towns. | H. B. No. 613, To Committee on Game and Fish. |
| H. B. No. 285, To Committee on Jurisprudence. | H. B. No. 619, To Committee on Counties, Cities and Towns. |
| H. B. No. 309, To Committee on Finance. | H. B. No. 629, To Committee on Counties, Cities and Towns. |
| H. B. No. 318, To Committee on Transportation. | (President Pro Tempore in the Chair.) |
| H. B. No. 355, To Committee on Education. | H. B. No. 635, To Committee on Counties, Cities and Towns. |

H. B. No. 653, To Committee on Counties, Cities and Towns.

H. B. No. 675, To Committee on Education.

H. B. No. 679, To Committee on Water and Conservation.

H. B. No. 682, To Committee on Privileges and Elections.

H. B. No. 693, To Committee on Counties, Cities and Towns.

H. B. No. 705, To Committee on Game and Fish.

H. B. No. 716, To Committee on Education.

H. B. No. 715, To Committee on Counties, Cities and Towns.

H. B. No. 721, To Committee on State Affairs.

H. B. No. 726, To Committee on State Affairs.

H. B. No. 736, To Committee on Education.

H. B. No. 761, To Committee on Counties, Cities and Towns.

H. B. No. 774, To Committee on Game and Fish.

H. B. No. 784, To Committee on Counties, Cities and Towns.

H. B. No. 786, To Committee on Counties, Cities and Towns.

H. B. No. 790, To Committee on Counties, Cities and Towns.

H. B. No. 795, To Committee on Counties, Cities and Towns.

H. B. No. 803, To Committee on Game and Fish.

H. B. No. 817, To Committee on Counties, Cities and Towns.

H. B. No. 808, To Committee on State Affairs.

H. B. No. 838, To Committee on Counties, Cities and Towns.

H. B. No. 850, To Committee on State Affairs.

H. B. No. 861, To Committee on Counties, Cities and Towns.

H. B. No. 893, To Committee on Public Health.

H. B. No. 916, To Committee on Counties, Cities and Towns.

H. B. No. 930, To Committee on Counties, Cities and Towns.

H. B. No. 932, To Committee on Counties, Cities and Towns.

H. B. No. 938, to Committee on Jurisprudence.

H. B. No. 946, To Committee on Counties, Cities and Towns.

H. B. No. 954, To Committee on Counties, Cities and Towns.

H. B. No. 958, To Committee on Game and Fish.

H. B. No. 962, To Committee on Insurance.

H. B. No. 987, To Committee on State Affairs.

H. B. No. 999, To Committee on Counties, Cities and Towns.

H. B. No. 1002, To Committee on Counties, Cities and Towns.

H. B. No. 1003, To Committee on Counties, Cities and Towns.

H. B. No. 1004, To Committee on State Affairs.

H. B. No. 1015, To Committee on Counties, Cities and Towns.

H. B. No. 1025, To Committee on Counties, Cities and Towns.

(President in the Chair.)

H. B. No. 1027, To Committee on Counties, Cities and Towns.

H. B. No. 1030, To Committee on Game and Fish.

H. B. No. 1041, To Committee on Water and Conservation.

H. B. No. 1044, To Committee on Counties, Cities and Towns.

H. B. No. 1076, To Committee on Counties, Cities and Towns.

H. B. No. 1078, To Committee on Privileges and Elections.

H. B. No. 1092, To Committee on Counties, Cities and Towns.

H. B. No. 1095, To Committee on Education.

H. B. No. 1107, To Committee on Counties, Cities and Towns.

H. B. No. 1118, To Committee on Counties, Cities and Towns.

Reports of Standing Committees

Senator Creighton by unanimous consent submitted the following reports:

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 543, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 486, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred H. B. No. 459, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred H. B. No. 1103, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred H. B. No. 910, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senator Rogers by unanimous consent submitted the following report:

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Agriculture and Livestock, to which was referred H. B. No. 909, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROGERS, Chairman.

Senator Creighton by unanimous consent submitted the following reports:

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 600, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 323, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred H. B. No. 693, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred H. B. No. 761, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senator Moore by unanimous consent submitted the following report:

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 413, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred H. B. No. 999, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred H. B. No. 653, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred H. B. No. 428, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senator Herring by unanimous consent submitted the following reports:

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 75, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 78, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 79, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Senator Watson by unanimous consent submitted the following report:

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on State Departments and Institutions, to

which was referred H. B. No. 1096, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

WATSON, Chairman.

House Bill 543 Ordered Not Printed

On motion of Senator Reagan and by unanimous consent H. B. No. 543 was ordered not printed.

House Bill 459 Ordered Not Printed

On motion of Senator Kazen and by unanimous consent H. B. No. 459 was ordered not printed.

Senate Bill 24 Laid on the Table

On motion of Senator Richter and by unanimous consent S. B. No. 24 was Laid on the Table.

Senate Bill 405 on Second Reading

On motion of Senator Dies and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 405, A bill to be entitled "An Act amending Senate Bill No. 79, Chapter 380, Page 858, General and Special Laws of the State of Texas, Fifty-seventh Legislature, Regular Session, 1961, as amended, which is codified as Article 695j, Vernon's Texas Civil Statutes, by amending Subparagraph (g) of Section 1; redefining the term "recipient of public assistance" so as to extend the Medical Assistance Program to include recipients of Aid to the Blind; etc., and declaring an emergency."

The bill was read second time.

Senator Dies offered the following amendment to the bill:

Amend Senate Bill No. 405 by striking out all below the Enacting Clause and inserting in lieu thereof the following:

"Section 1. Senate Bill No. 79, Chapter 380, Page 858, General and Special Laws of the State of Texas, Fifty-seventh Legislature, Regular Session, 1961, as amended, which is codified as Article 695j, Vernon's Texas Civil Statutes, is hereby amended by amending Subparagraph (g) of Section 1 of said Act which shall hereafter read as follows:

'(g) The term "recipient of public assistance," for the purpose of this Act, means any person who is eligible and receiving a grant of Old Age Assistance, Aid to the Blind, Aid to the Permanently and Totally Disabled, or Aid to Families with Dependent Children (including the children and/or the caretaker with whom the child lives) when medical or hospital services or nursing care were rendered.'

"Section 2. Senate Bill No. 79, Chapter 380, Page 858, General and Special Laws of the State of Texas, Fifty-seventh Legislature, Regular Session, 1961, as amended, which is codified as Article 695j, Vernon's Texas Civil Statutes, is hereby amended by adding a new Subsection (3) to Section 3 of said Article which shall hereafter read as follows:

'(3) In the event that all or any part of the above described services become available to recipients of assistance through any other Governmental Agency, State or Federal, then and in the event, the State Department of Public Welfare may extend medical services to recipients to include, but not limited to, physician's services outside the hospital, outpatient hospital or clinic service, home health service, private duty nursing, and such other services as may be found to be necessary and within the limits of the appropriation for this program.

'The State Department of Public Welfare shall adopt reasonable rules and regulations for determining need for the above mentioned medical services, and for providing for payment of such services.'

"Section 3. The medical assistance payments provided herein for recipients of Aid to the Blind, Aid to the Permanently and Totally Disabled, and Aid to Families with Dependent Children (including the caretaker of such children) shall be effective July 1, 1966, except that no payments shall be made unless a major portion of hospital care for Old Age Assistance recipients is assumed by the Federal Government at that time.

"Section 4. All laws or parts of laws in conflict herewith are hereby repealed to the extent of the conflict only.

"Section 5. If any section, subsection, paragraph, sentence, clause, phrase or word in this Act or application thereof to any person or circumstance is held invalid, such holding shall not affect the validity of the re-

maining portions of this Act, and the Legislature hereby declares it would have passed such remaining portions despite such invalidity.

"Section 6. The fact that medical assistance payments are currently limited to recipients of Old Age Assistance; the fact that the people of the State of Texas, by adopting the Constitutional Amendment on November 4, 1958, also authorized the Legislature to enact appropriate Legislation to authorize vendor payments for medical care to recipients of Aid to the Blind, Aid to the Permanently and Totally Disabled, and Aid to Families with Dependent Children, as well as to recipients of Old Age Assistance; the fact that it would be possible to extend medical services to include outpatient care, in the event of the medical services now provided to recipients of Old Age Assistance should become available through any other Governmental Agency, and the crowded condition of the calendar create an emergency and an imperative public necessity and the Constitutional Rule requiring bills to be read on three (3) several days in each House be suspended, and the said Rule is suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The amendment was read.

Senator Herring offered the following amendment to the pending amendment:

Amend the Amendment to Senate Bill 405.

Senate Bill No. 405, as amended by Amendment No. 1, is further amended, as follows:

"Section 1. Senate Bill No. 79, Chapter 380, Page 858, General and Special Laws of the State of Texas, Fifty-seventh Legislature, Regular Session, 1961, as amended, which is codified as Article 695j, Vernon's Texas Civil Statutes, is hereby amended by adding the following subparagraph (j) to Section 1 of said Act, which sentence shall read as follows:

'(j) The term "optometrist" means a person licensed by the Texas State Board of Examiners in Optometry."

"Section 2. Senate Bill No. 79, Chapter 380, Page 858, General and Special Laws of the State of Texas, Fifty-seventh Legislature, Regular Session, 1961, as amended, which is codified as Article 695j, Vernon's

Texas Civil Statutes, is hereby amended by amending subsection (3) to Section 3 of said Article by placing a comma following the word services where it last appears in the first paragraph of the new subsection (3) to Section 3 and inserting thereafter the following:

'including optometric services,'

"Section 3. Senate Bill No. 79, Chapter 380, Page 858, General and Special Laws of the State of Texas, Fifty-seventh Legislature, Regular Session, 1961, as amended, which is codified as Article 695j, Vernon's Texas Civil Statutes, is hereby amended by adding a new subsection (4) to Section 3 of said Article which shall hereafter read as follows:

'(4) Who is certified by the optometrist or physician of the recipient's own choice as having a defect, deficiency, anomaly or abnormal condition of vision or visual performance which needs to be remedied or corrected by conventional or special vision aids and that the defect, deficiency, anomaly or abnormal condition is such that the absence of such remedy or correction would adversely affect his efficiency, health, safety or welfare or the safety or welfare of others.'"

The amendment was read and was adopted.

The amendment by Senator Dies as amended was then adopted.

On motion of Senator Dies and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 405 on Third Reading

Senator Dies moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 405 was placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

| | |
|-----------|------------|
| Aikin | Crump |
| Bates | Dies |
| Blanchard | Hall |
| Calhoun | Hardeman |
| Cole | Harrington |
| Colson | Hazlewood |
| Creighton | Herring |

| | |
|-----------|----------|
| Hightower | Richter |
| Kazen | Rogers |
| Krueger | Schwartz |
| Moore | Snelson |
| Parkhouse | Spears |
| Patman | Strong |
| Ratliff | Watson |
| Reagan | Word |

Absent

Kennard

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

| | |
|------------|-----------|
| Aikin | Kennard |
| Bates | Krueger |
| Blanchard | Moore |
| Calhoun | Parkhouse |
| Cole | Patman |
| Colson | Ratliff |
| Creighton | Reagan |
| Crump | Richter |
| Dies | Rogers |
| Hall | Schwartz |
| Hardeman | Snelson |
| Harrington | Spears |
| Hazlewood | Strong |
| Herring | Watson |
| Hightower | Word |
| Kazen | |

House Bill 323 Ordered Not Printed

On motion of Senator Krueger and by unanimous consent H. B. No. 323 was ordered not printed.

House Bill 909 Ordered Not Printed

On motion of Senator Krueger and by unanimous consent H. B. No. 909 was ordered not printed.

House Bill 910 Ordered Not Printed

On motion of Senator Krueger and by unanimous consent H. B. No. 910 was ordered not printed.

House Bill 1103 Ordered Not Printed

On motion of Senator Krueger and by unanimous consent H. B. No. 1103 was ordered not printed.

House Bill 999 Ordered Not Printed

On motion of Senator Strong and by unanimous consent H. B. No. 999 was ordered not printed.

House Bill 653 Ordered Not Printed

On motion of Senator Strong and by unanimous consent H. B. No. 653 was ordered not printed.

House Bill 413 Ordered Not Printed

On motion of Senator Krueger and by unanimous consent H. B. No. 413 was ordered not printed.

House Bill 600 Ordered Not Printed

On motion of Senator Calhoun and by unanimous consent H. B. No. 600 was ordered not printed.

House Bill 693 Ordered Not Printed

On motion of Senator Calhoun and by unanimous consent H. B. No. 693 was ordered not printed.

House Bill 761 Ordered Not Printed

On motion of Senator Calhoun and by unanimous consent H. B. No. 761 was ordered not printed.

House Bill 428 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent H. B. No. 428 was ordered not printed.

Memorial Resolutions

S. R. No. 603—By Senator Watson: Memorial resolution for Mrs. Callie Hyden.

S. R. No. 604—By Senator Watson: Memorial resolution for Fred Stoermer, Sr.

Welcome Resolutions

S. R. No. 599—By Senator Herring: Extending welcome to students and teacher of Saint Austin's School of Austin.

S. R. No. 600—By Senator Snelson: Extending welcome to visitors from El Paso present in the Senate.

S. R. No. 605—By Senator Herring: Extending welcome to students and teacher of Manor Elementary School.

S. R. No. 606—By Senator Watson: Extending welcome to Jessie Evans of Waco.

S. R. No. 607—By Senator Watson: Extending welcome to J. Ludwick.

S. R. No. 608—By Senator Watson: Extending welcome to P. R. Cox of Harker Heights.

S. R. No. 609—By Senator Watson: Extending welcome to Irvin Cameron of Waco.

Adjournment

Senator Dies moved that the Senate stand adjourned until 10:30 o'clock a.m. tomorrow.

Senator Creighton moved that the Senate take recess until 2:00 o'clock p.m. today.

Question first on the motion to adjourn until 10:30 o'clock a.m. tomorrow the motion prevailed by the following vote:

Yeas—16

| | |
|------------|----------|
| Aikin | Kazen |
| Bates | Krueger |
| Colson | Moore |
| Dies | Patman |
| Hall | Richter |
| Hardeman | Rogers |
| Harrington | Schwartz |
| Hightower | Snelson |

Nays—14

| | |
|-----------|-----------|
| Blanchard | Parkhouse |
| Calhoun | Ratliff |
| Cole | Reagan |
| Creighton | Spears |
| Crump | Strong |
| Herring | Watson |
| Kennard | Word |

Absent

Hazlewood

Accordingly, the Senate at 12:01 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Reports of Standing Committee

Senator Hardeman submitted the following reports:

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 360, "An Act amending Chapter 518, Acts of the 54th Legislature, Regular Session, 1955, by add-

ing two Sections designated Sections 8-B and 8-C; providing for the investment of funds of the Trinity River Authority and authorizing said Authority to trade its bonds for land required for the purposes of said Authority; providing a severability clause; and declaring an emergency." have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 262, "An Act to amend Article 4382 of Revised Civil Statutes of Texas, 1925, as amended, concerning the keeping of registers of warrants issued and warrants paid; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 263, "An Act to amend Section 5 of House Bill No. 503 of the Acts of the Regular Session of the 50th Legislature, providing for more representative members of the Council to include representatives of non-governmental organizations, and of public agencies concerned with the operation, construction, or utilization of hospitals; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 273, "An Act to increase the additional compensation allowed county and district judges for service on the Hamilton County Juvenile Board; amending Section 2, Chapter

207, Acts of the 55th Legislature, Regular Session, 1957; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 398, "An Act changing the name of the school established for the care of dependent and delinquent colored girls by the provisions of Chapter 293, Acts of the 40th Legislature, Regular Session, 1927 (codified in Vernon's as Article 3259a, Vernon's Civil Statutes) to the name "Crockett State School for Girls"; repealing the provisions of Chapter 293, Acts of the 40th Legislature, Regular Session, 1927 (codified in Vernon's as Article 3259a, Vernon's Civil Statutes); placing "Crockett State School for Girls" under the control and jurisdiction of the Texas Youth Council; authorizing the Texas Youth Council to exercise all powers and authority provided in Chapter 281, Acts of the 55th Legislature, Regular Session, 1957 (Codified in Vernon's as Article 5143d, Vernon's Civil Statutes) in the administration and control of "Crockett State School for Girls"; making other provisions relating to the subject; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 382, "An Act relating to the preservation of the structure known as the Gethsemane Church; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 376, "An Act relating to pension allowances for totally disabled children of certain firemen; adding Section 7G to Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 272, "An Act creating a juvenile board for Comanche County, Texas; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 271, "An Act creating a juvenile board for Bosque County, Texas; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 160, "An Act transferring control and management of East Texas State University and West Texas State University from the Board of Regents of the State Teachers' Colleges to new Boards of Regents; providing for the creation of Governing Boards to be appointed by the Governor and confirmed by the Senate with residential limitations as to Board members and their length of term of office; providing for the filling of vacancies occurring on the

Governing Boards and removal for certain causes; providing for the qualifying of appointees to the Boards, and their organization; providing for the work and activities to be pursued in said universities and subject to actions of the Governing Boards; providing all powers, duties, rights, obligations and functions of the Board of Regents of the State Teachers' Colleges as these relate to the East Texas State University and West Texas State University shall be vested in and/or performed by the new Boards of Regents on the effective date of this Act; providing a repealing clause; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 175, "An Act amending Article 1.15 of the Insurance Code as contained in Section 3, Chapter 307 of the Acts of the 54th Legislature, Regular Session, 1955, to provide that after the sixth year of organization or incorporation of an insurance company the State Board of Insurance shall examine its financial condition and ability to meet its liabilities, as well as its compliance with the laws of this state, once in each three (3) years, or oftener, as the State Board of Insurance deems necessary; amending Article 11.07 of the Insurance Code as contained in the Acts of the 52nd Legislature, Regular Session, 1951, Chapter 491, to provide that Article 1.15 and Article 1.16 relative to the examination of insurance companies apply to the examination of companies formed under Chapter 11 of the Insurance Code; repealing all conflicting laws and parts of laws to the extent of such conflict; setting forth a severability clause; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 378, "An Act relating to a ten day right of examination of an accident and sickness insurance policy during which the policy may be returned after its delivery and a refund of the premium paid; amending Subsection (A), Section 2, Chapter 397, Acts of the 54th Legislature, 1955 (Subsection (a), Article 3.70-2, Vernon's Texas Insurance Code), by adding a subdivision (8); and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 274, "An Act creating a juvenile board for Coryell County, Texas; and declaring an emergency." have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 27, "An Act amending Article 353b of the Penal Code of the State of Texas, 1925, as amended; making it unlawful for any person formally charged with or convicted of a felony and confined in prison to escape therefrom, or from the lawful custody of an officer, or any other person authorized by law to have such prisoner in his custody; defining terms; prescribing a penalty for violation thereof; enacting other provisions relating to the subject; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 4, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-

grossed and Enrolled Bills, to which was referred:

S. B. No. 316, "An Act to amend the subject matter of Senate Bill No. 5, Chapter 482, Acts of the 44th Legislature, Third Called Session, 1936, as amended, entitled the Texas Unemployment Compensation Act, by amending subsection (f) of Section 11 relating to oaths and witnesses; by amending subsections (a), (b), (c), and (f) of Section 14, relating to the collection of contributions; by adding to Section 14 two new subsections to be designated (l) and (m), relating to classifying as a debt any taxes, penalties, interest, and court costs owed by an employer under a final judgment under said Act and providing for comity with other states in legal actions to collect contributions, interest, penalties and court costs; by adding a new subsection to Section 17 to be designated (c), relating to evidence; by amending Section 19 whereby subsection (g)(5)(j) will be deleted; providing for the repeal of all laws and parts of laws in conflict herewith and for preserving rights

accrued thereunder; providing for the separability of provisions; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Sent to the Governor

May 4, 1965

S. B. No. 267
S. B. No. 371
S. B. No. 231
S. B. No. 378
S. B. No. 360
S. B. No. 262
S. B. No. 263
S. B. No. 273
S. B. No. 398
S. B. No. 382
S. B. No. 376
S. B. No. 272
S. B. No. 271
S. B. No. 160
S. B. No. 175
S. B. No. 274
S. B. No. 27
S. B. No. 316
S. C. R. No. 82
S. C. R. No. 52

In Memory of
James H. Allred, Jr.

Senator Hightower offered the following resolution:

(Senate Resolution 602)

Whereas, In the tragic death of Mr. James V. Allred, Jr., on April 15, 1965, one of our state's most distinguished families, as well as the people of the State of Texas, suffered a great loss; and

Whereas, Mr. Allred was born in Wichita Falls, Texas, on December 23, 1929, eldest son of the late James V. Allred and Mrs. Joe Betsy Miller Allred, and later moved with his father and mother to Austin, Texas, where his father served as Attorney General from 1931 to 1935 and then as Governor of Texas from 1935 to 1939; and

Whereas, Mr. Allred studied law at the University of Houston and for many years was a member of the Texas Air National Guard; and

Whereas, He is survived by a daughter, Lisa Fa Allred, Rio de Janeiro, Brazil; his mother, Mrs. Joe Betsy Miller Allred and his grandmother, Mrs. Claude Miller, both of Wichita Falls; and two brothers, Dave Allred of Falls Church, Virginia, and Sam Houston Allred of New York City; and

Whereas, The untimely passing of James V. Allred, Jr. is mourned by his many friends and the people of the State of Texas who loved this family who for four years graced the Governor's mansion and served our state and its people with honor and distinction; now, therefore, be it

Resolved, That a page be set aside in the Senate Journal as a memorial to James V. Allred, Jr.; and be it further

Resolved, That an enrolled copy of this resolution be sent to the surviving members of his family as a token of respect and sympathy.

HIGHTOWER
KRUEGER
AIKIN
KAZEN

Signed—Lieutenant Governor Preston Smith; Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Hardeman, Harrington, Hazlewood, Herring, Kennard, Moore, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Snelson, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Kazen and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted by a rising vote of the Senate.